THE PETITION OF The Lords and Commons IN PARLIAMENT,

Delivered to His Majestie the 16. day of July:

TOGETHER WITH

His Majesties Answer THEREUNTO.

Charles R.

OUr expresse Pleasure is, That this Petition of the Lords and Commons, with Our Answer thereto, be read in all Churches and Chappells within the Kingdom of *England* and Dominion of *Wales*, by the Parsons, Vicars or Curates of the same.

LONDON:
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To the Kings most Excellent Majestie

The humble Petition of the Lords and Commons Assembled in Parliament.

May it please Your Majestie,

Although we Your Majesties most humble and faithfull Subjects, the Lords and Commons in Parliament assembled, have been very unhappy in many former Petitions and Supplications to Your Majestie, Wherein we have represented our most dutifull Affections, in advising and desiring those things which we held most necessary for the preservation of Gods true Religion, Your Majesties Safety and Honour, and the Peace of the Kingdom; And with much sorrow do perceive, That Your Majestie, incensed by many false Calumnies and Slanders, doth continue to raise Forces against us, and Your other peaceable and loyall Subjects, and to make great Preparations for War, both in the Kingdom, and from beyond the Seas; And by Arms and violence to over-rule the Judgement and Advice of Your great Councell, and by force to determine the Questions there depending, concerning the Government and Liberty of the Kingdom; Yet such is our earnest desire of discharging our duty to Your Majestie and the Kingdom, to preserve the peace thereof, and to prevent the Miseries of Civill War amongst Your Subjects, That notwithstanding we hold our selves bound to use all the means and power, which by the Laws and Constitutions of this Kingdom we are trusted with, for Defence and Protection thereof, and of the Subjects from force and violence; We do in this our humble and loyall Petition prostrate our selves at Your Majesties feet, beseeching Your Royall Majestie, That You will be pleased to forbear and remove all Preparations and Actions of War, particularly the Forces from about *Hull*, from *Newcastle*, *Tynmouth*, *Lincoln*, and *Lincolnshire*, and all other Places; And that Your Majestie will recall the Commissions of *Array*, which are illegall; Dismisse Troops, and extraordinary Guards, by You raised; That Your Majestie will come neerer to Your Parliament, and hearken to their faithfull Advice, and humble Petitions, which shall onely tend to the defence and advancement of Religion, Your own Royall Honour and Safety, the Preservation of our Laws and Liberties: And we have been, and shall ever be carefull to prevent and punish all Tumults and seditious Actions, Speeches, and Writings, which may give Your Majestie just cause of distaste or apprehension of danger; from which publike Aimes and Resolutions no finister or private respect shall ever make us to decline; That Your Majestie will leave Delinquents to the due course of Justice; And that nothing done or spoken in Parliament, or by any Person in pursuance of the Command and Direction of both Houses of Parliament be questioned any where but in Parliament.

And we, for our Parts, shall be ready to lay down all those preparations which we have been forced to make for our defence. And for the Town of *Hull*, and the Ordinance concerning the *Militia*, as we have, in both these particulars, onely sought the preser-

preservation of the peace of the Kingdom; and the Defence of the Parliament from force and violence; So we shall most willingly leave the Town of *Hull* in the state it was before Sir *John Hotham* drew any Forces into it, delivering Your Majesties Magazine into the Tower of *London*; And supplying whatsoever hath been disposed by us for the service of the Kingdom; We shall be ready to settle the *Militia* by a Bill, in such a way, as shall be Honourable and safe for Your Majestie, most agreeable to the duty of Parliament, and effectuall for the good of the Kingdom, that the strength thereof be not imployed against it self; And that which ought to be for our security, applied to our destruction; And that the Parliament, and those who professe and desire still to preserve the Protestant Religion, both in this Realm, and in *Ireland*, may not be left naked, and indefensible, to the mischievous designes, and cruell attempts of those, who are the professed and confederated Enemies thereof in Your Majesties Dominions, and other Neighbour-Nations: To which if Your Majesties Courses and Counsels shall from hence-forth concur, we doubt not but we shall quickly make it appear to the World, by the most eminent effects of Love and Duty, That Your Majesties personall safety, Your Royall Honour and Greatnesse are much dearer to us then our own Lives and Fortunes; Which we do most heartily Dedicate, and shall most willingly imploy for the support and maintenance thereof.

His MAJESTIES Answer

To the PETITION of the LORDS and COMMONS Assembled in PARLIAMENT.

THough His Majestie had no great reason to beleeve, that the Directions sent to the Earl of *Warwick* to go to the river *Humber*, with as many Ships as he should think fit, for all possible assistance to Sir *John Hotham* (whilest His Majestie expected the giving up of the Town unto Him) and to carry away such Arms from thence as His discretion thought fit to spare out of His Majesties own Magazine; The chusing a Generall by both Houses of Parliament, for the defence of those who have obeyed their Orders and Commands (be they never so extravagant and illegall); Their Declaration, *That in that Case, they would live and die with the Earl of Essex their Generall* (all which were voted the same day with this Petition): And the committing the Lord Major of *London* to Prison for executing His Majesties Writs and lawfull Commands, were but ill Prologues to a Petition which might compose the miserable Distractions of the Kingdom: Yet His Majesties passionate desire of the Peace of the Kingdom, together with the Preface of the Presenters, That they had brought a Petition full of Duty and Submission to His Majestie, and which desired nothing of Him but His consent to Peace (which His Majestie conceived to be the Language of both Houses too) begot a greedy hope and expectation in Him, that this Petition would have been such an Introduction to Peace, that it would at least have satisfied His Message of the eleventh of this Moneth, by delivering up *Hull* unto His Majestie; But to His unspeakable Grief, His Majestie hath too much Cause to beleeve, that the end of some Persons by this Petition is not in truth to give any reall satisfaction to His Majestie, but by the specious pretences of mi-

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king offers to Him, to mis-lead and seduce His people, and lay some imputation upon Him of denying what is fit to be granted, otherwise it would not have thrown those unjust reproaches and scandalls upon His Majestie, for making necessarie and just Defence for His own safety, and so peremptorily justified such actions against Him, as by no Rule of Law or Justice can admit the least colour of Defence, and after so many free and unlimited Acts of Grace passed by His Majestie, without any Condition, have proposed such things which in Justice cannot be denied unto Him, upon such conditions as in Honour he cannot grant. However, that all the world may see how willing His Majestie would be to embrace any overture that might beget a right understanding between Him and his two Houses of Parliament (with whom He is sure He shall have no Contention, when the private Practices and subtile Insinuations of some few Malignant Persons shall be discovered (which His Majestie will take care shall speedily be done) He hath with great care weighed the particulars of this Petition, and returns this Answer:

THat the Petitioners were never unhappy in their Petitions or Supplications to His Majestie, while they desired any thing which was necessary or convenient for *The preservation of Gods true Religion*; *His Majesties safety and Honour*; and, *The Peace of the Kingdom*. And therefore when those generall envious Foundations are laid, His Majestie could wish some particular instances had been applied. Let Envie and Malice object one particular Proposition for the Preservation of Gods true Religion, which His Majestie hath refused to consent to; What Himself hath often made for the ease of tender Consciences, and for the advancement of *The Protestant Religion*, is notorious by many of His Messages and Declarations; What regard hath been to *His Honour and Safety*, when He hath been driven from some of His Houses, and kept from other of His Towns by Force; And what care there hath been of *The Peace of the Kingdom*, when endeavour hath been used to put all His Subjects in Arms against Him, is so evident, That His Majestie is confident He cannot suffer by those generall Imputations: It is enough that the world knows what He hath granted, and what He hath denied.

For His Majesties raising Forces, and making preparations for Warre (whatsoever the Petitioners by the Evil Arts of the Enemies to His Majesties Person and Government, and by the Calumnies and Slanders raised against His Majestie by them, are induced to beleeve) all men may know what is done that way, is but in order to His own Defence. Let the Petitioners remember that (which all the World knows) His Majestie was driven from His Palace of *Whitehall* for safety of His life; That both Houses of Parliament upon their own Authority raised a Guard to themselves (having gotten the Command of all the Train-bands of *London*, to that purpose), without the least colour or shadow of danger; That they usurped a power by their pretended Ordinance (against all Principles and Elements of Law) over the whole *Militia* of the Kingdom, without and against His Majesties consent; That they tooke possession of His Town, Fort, and Magazine of *Hull*, and committed the same to Sir *John Hotham*, who shut the Gates against His Majestie, and by force of Arms denied entrance thither to His owne Person; That they justified this Act which they had not directed, and took Sir *John Hotham* into their Protection for whatsoever he had done or should do against His Majestie; And all this, whilest His Majestie had no other attendance then His own meniall Servants. Upon this the duties and affection of this Countie prompted His Subjects here to provide a small Guard

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for His own Person; which was no sooner done, but a Vote suddenly passed of His Majesties intention to leavie War against His Parliament (which God knows His heart abhorreth) and notwithstanding all His Majesties Professions, Declarations and Protestations to the contrary, seconded by the clear Testimonie of so great a number of Peers upon the Place, Propositions and Orders for leavies of Men, Horse and Arms were sent thorowout the Kingdom, Plate and Money brought in and received, Horse and Men raised towards an Armie, mustered and under Command, and all this contrary to the Law and to His Majesties Proclamation; And a Declaration published, That if He should use Force for the recovery of *Hull*, or suppressing the pretended Ordinance for the *Militia*, it should be held leavying War against the Parliament, and all this done before His Majestie granted any Commission for the leavying or raising a man; His Majesties Ships were taken from Him, and committed to the Custody of the Earl of *Warwick*, who presumes under that power to usurp to himself the Soveraignty of the Sea, to chase, fright, and imprison such of His Majesties good Subjects as desire to obey His lawfull Commands, a though He had notice of the legall Revocation of the Earl of *Northumberlands* Commission of Admirall, whereby all power derived from that Commission ceased. Let all the world now judge who began this War, and upon whose account the Miseries which may follow must be cast, what His Majestie could have done lesse then He hath done, and whether He were not compelled to make provision both for the defence of Himself, and recovery of what is so violently and injuriously taken from Him; And whether these Injuries and Indignities are not just grounds for His Majesties fears and apprehensions of farther mischief and danger to him. Whence the Fears and Jealousies of the Petitioners have proceeded hath never been discovered; The dangers they have brought upon His good Subjects are too evident; What those are they have prevented, no man knows; And therefore His Majestie cannot but look upon that Charge, as the boldest, and the most scandalous hath been yet laid upon Him, *That this necessary Provision made for His own Safety and Defence, is to over-rule the Judgement and Advice of His great Councell, and by Force to determine the Questions there depending concerning the Government and Liberty of the Kingdom.* If no other Force had been raised to determine those Questions then by His Majestie, this unhappy misunderstanding had not been. And His Majestie no longer desires the Blessing and Protection of Almighty God upon Himself and His Posterity, then He and They shall solemnly observe the due Execution of the Lawes in the Defence of Parliaments, and the just Freedome thereof.

For the Forces about *Hull*, His Majestie will remove them when he hath attained the end for which they were brought hither; When *Hull* shall be reduced again to His subjection, He will no longer have an Army before it; And when He shall be assured that the same necessity and pretence of publique good, which took *Hull* from Him, may not put a Garrison into *Newcastle*, to keep the same against Him, He will remove His from thence, & from *Tinmouth*; Till when, the Example of *Hull* will not out of His memorie.

For the Commissions of Array, which are Legall, and are so proved by a Declaration now in the Presse, His Majestie wonders why they should at this time be thought grievous, and fit to be recalled, if the fears of Invasion and Rebellion be so great, that by an illegall pretended Ordinance it is necessary to put His Subjects into a Posture of Defence, to Array, Train and Muster them, He knows not why the same should not be done in a regular, known, lawfull way: But if in the execution of that Commission, any thing shall be unlawfully imposed upon His Subjects, His Majestie will take all just and necessary care for their redresse.

For His Majesties coming neerer to His Parliament, His Majestie hath expressed Himself so fully in His severall Messages, Answers and Declarations, and so particularly avowed a reall fear of His Safety, upon such instances as cannot be answered, that He hath reason to take Himself somewhat neglected, That since upon so manifest Reasons it is not safe for His Majestie to come to them, both His Houses of Parliament will not come neerer to His Majestie, or to such a place where the Freedom and Dignity of Parliament might be preserved. However His Majestie shall be very glad to hear of some such Example in their punishing the Tumults (which He knows not how to expect, when they have declared, That they knew not of any Tumults, though the House of Peeres desired, both for the Dignity and Freedom of Parliament, That the House of Commons would joyn with them in a Declaration against Tumults, which they refused (that is, neglected to do) and other seditious Actions Speeches, and Writings, as may take that apprehension of danger from Him, though when He remembers the particular complaints Himself hath made of businesses of that nature, & that in stead of inquiring out the Authors, neglect of Examination hath been, when offer hath been made to both Houses to produce the Authors (as in that Treasonable Paper concerning the *Militia*) and when He sees every day Pamphlets published against His Crown, and against Monarchy it self, as the Observations upon His late Messages, Declarations and Expresses, and some Declarations of their own, which give too great incouragement in that Argument to ill-affected Persons; His Majestie cannot with confidence entertain those hopes which would be most welcome to Him.

For the leaving Delinquents to the due course of Justice; His Majestie is most assured He hath been no shelter to any such: If the tediousnesse and delay in prosecution, the vast charge in Officers Fees, the keeping men under a generall Accusation without triall a whole yeer or more, and so allowing them no way for their Defence and Vindication, have frighted men away from so chargeable and uncertain an attendance; The Remedie is best provided where the Disease grew. If the Law be the measure of Delinquencie, none such are within His Majesties Protection: But if by Delinquents, such are understood who are made so by Vote, without any trespasse upon any known or established Law; If by Delinquents those nine Lords are understood, who are made Delinquents for obeying His Majesties Summons to come to Him, after their stay there was neither safe nor honourable, by reason of the Tumults and other Violencies, and whose Impeachment, He is confident, is the greatest breach of Privilege that before this Parliament was ever offered to the House of Peers; If by Delinquents, such are understood who refuse to submit to the pretended Ordinance of the *Militia*, to that of the Navie, or to any other which His Majestie hath not consented to, such who for the Peace of the Kingdom, in an humble manner, prepare Petitions to Him, or to both Houses, as His good Subjects of *London* and *Kent* did, whiles seditious ones, as that of *Essex*, and other places, are allowed and cherished; If by Delinquents such are understood, who are called so for publishing His Proclamations (as the Lord Major of *London*) or for reading His Messages and Declarations (as divers Ministers about *London* and elsewhere) when those against Him are dispersed with all care and industry, to poison and corrupt the Loyalty and Affection of His people; If by Delinquents, such are understood, who have or shall lend His Majestie Money, in the Universities, or in any other places; His Majestie declares to all the world, That He will protect such with His utmost Power and strength, and directs, That in these cases they submit not to any Messengers or Warrants; It being no lesse His duety to protect those who are innocent, then to bring the guilty to Condigne punishment, of

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both which the Law is to be Judge. And if both Houses do think fit to make a Generall, and to raise an Army for defence of those who obey their Orders and Commands; His Majesty must not sit still, and suffer such who submit to His just Power, and are sollicitous for the Laws of the Land, to perish, and be undone, because they are called Delinquents: And when they shall take upon them to dispense with the Attendance of those who are called by His Majesties Writ, whilest they send them to Sea to rob His Majestie of His Ships, or into the severall Counties, to put His Subjects in Arms against Him, His Majestie (who onely hath it) will not lose the Power to dispense with them to attend His own Person, or to execute such Offices as are necessary for the preservation of Himself and the Kingdom, but must protect them, though they are called Delinquents.

For the manner of the proceeding against Delinquents, His Majestie will proceed against those who have no Priviledge of Parliament, or in such cases where no Priviledge is to be allowed, as He shall be advised by His learned Councell, and according to the known and unquestionable Rules of the Law, it being unreasonable that He should be compelled to proceed against those who have violated the known and undoubted Law, onely before them who have directed such violation.

Having said thus much to the particulars of the Petition, Though His Majestie hath reason to complain, That since the sending this Petition, they have beaten their Drums for Souldiers against Him, Armed their own Generall with a Power destructive to the Law and Liberty of the Subjects, and chosen a Generall of their Horse; His Majestie out of His Princely love, tenderness and compassion of His People, and desire to preserve the Peace of the Kingdom, that the whole Force and Strength of it may be united for the defence of it self, and the relief of *Ireland* (in whose behalf he conjures both His Houses of Parliament, as they will answer the contrary to Almighty God, His Majestie, to those that trust them, and to that bleeding miserable Kingdom; That they suffer not any Moneys granted and collected by Act of Parliament, to be diverted or imployed against His Majestie, whilest His Souldiers in that Kingdom are ready to Mutiny, or perish for want of Pay, and the barbarous Rebels prevail by that incouragement) Is graciously pleased once more to propose and require;

That His Town of *Hull* be immediately delivered up to Him, which being done (though His Majestie hath bin provoked by unheard of Insolencies of Sir *John Hotham*, since his burning and drowning the Countrey, in seizing His Wine, and other Provisions for His House; and scornfully using His Servant, whom He sent to require them, saying, *It came to him by providence, and he will keep it*; and so refusing to deliver it, with threats, if he or any other of his fellow Servants should again repair to *Hull* about it; And in taking and detaining Prisoners divers Gentlemen and others in their passage over the *Humber* into Lincolnshire, about their necessary occasions, and such other indignities, as all Gentlemen must resent in His Majesties behalf, His Majestie, to shew His earnest desire of Peace (for which He will dispense with His own Honour) and how far He is from desire of Revenge, will grant a Free and Generall Pardon to all Persons within that Town.

That His Majesties Magazine taken from *Hull*, be forthwith put into such hands as He shall appoint.

That His Navie be forthwith delivered into such hands as He hath directed for the Government thereof; The detaining thereof after His Majesties directions published and received to the contrary, and imploying his Ships against Him, in such manner, as they are now used, being notorious High Treason in the Commanders of those Ships.

That all Arms, Leavies and Provisions for a War, made by the Consent of both Houses (by whose Example His Majestie hath been forced to make some preparations) being immediately laid down; And the pretended Ordinance for the *Militia*, and all Power of imposing Laws upon the Subject, without His Majesties consent, be disavowed, without which the same Pretence will remain to produce the same Mischiefs; All which His Majestie may as lawfully demand, as to live, and can with no more Justice be denyed Him, then His Life may be taken from Him.

These being done, and the Parliament adjourned to a safe and secure Place, His Majestie Promises in the presence of God, and bindes Himself by all His Confidence and Assurance in the Affection of His People, that He will instantly and most cheerefully lay down all the Force He shall have raised, and discharge all His future and intended Leavies, That there may be a generall face of Peace over the whole Kingdom; And will repair to them, and desires that all Differences may be freely debated in a Parliamentary way, whereby the Law may recover its due Reverence, the Subject his just Libertie, and Parliaments themselves their full Vigour and Estimation; And so the whole Kingdom, a blessed Peace, Quiet and Prosperitie.

If these Propositions shall be rejected, His Majestie doubts not of the Protection and Assistance of Almighty God, and the ready concurrence of His good Subjects, who can have no hope left them of enjoying their own long, if their King may be oppressed and spoiled, and must be remedilesse. And though His Towns, His Ships, His Armes, and His Money be gotten and taken from Him, He hath a good Cause left, and the Hearts of His People, which, with Gods blessing, He doubts not, will recover all the rest. Lastly, if the Preservation of the Protestant Religion, the defence of the Liberty and Law of the Kingdom, the Dignity and Freedom of Parliament, and the Recovery, and the Relief of bleeding and miserable *Ireland*, be equally precious to the Petitioners, as they are to His Majestie (who will have no quarrell but in defence of these) there will be a cheerfull and speedy Consent to what His Majestie hath now proposed and desired.

And of this His Majestie expects a full and positive answer by Wednesday the seven and twentieth of this instant July: Till when He will not make any Attempt of Force upon *Hull*, hoping in the Affection, Duty and Loyalty of the Petitioners: And in the mean time expects that no supply of Men be put into *Hull*, or any of His Majesties Goods taken from thence.

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the commission of Army adjudged illegal, by all the Lawyers of the house